IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.156 OF 1998

Irappa Channappa Shattar. ...Petitioner.
Versus
1.The State of Maharashtra, &
2.Kallappa Shirgan. ...Respondents.

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Mr.Rahul S.Kate, Advocate for the Petitioner.

Ms.S.M.Dandekar, Adv. for Respondent No.2.

Mr.K.V.Saste, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 13th June, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused, the learned Advocate for respondent No.2 and the learned APP for the State.

2. The petitioner was convicted by the learned J.M.F.C., Akalkot for the offence under Section 304-A of IPC and sentenced to suffer SI for six months and to pay fine of Rs.5,000/-, in default RI for two months. Being aggrieved thereby, the petitioner preferred Appeal. The said Appeal came to be dismissed by the learned Sessions Judge, Solapur by judgment and order dated 25th June, 1998. Hence, this Revision. It may be stated that the fine amount as imposed by the learned J.M.F.C. Akalkot is paid.

3. During the pendency of this Revision, the parties have amicably arrived at settlement amongst themselves. The learned Advocate for respondent No.2 on instructions states that they have no objection to the sentence of the petitioner being reduced to the period already undergone by the applicant.

4. Reliance is placed on the decisions of the Supreme Court in the case of **Salim and Ors. Vs. State of M.P.**, reported in **1995 Supp (4) Supreme Court Cases 631**, and **Ram Pujan Vs. State of U.P.** reported in **(1973) 2 SCC 456**, wherein when the parties settled the dispute amongst themselves for the offence under Section 307, the sentence was reduced to the period undergone by the accused.

5. In this view of the matter, though the conviction is confirmed, the sentence of imprisonment imposed on the petitioner is reduced to the period already undergone by the petitioner.

6. Rule is made partly absolute. Revision Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)